

DOCKET NO.: 270131US0PCT



MAIL STOP PCT

JCO/Rec'd PCT/PTO 14 OCT 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

K-5

IN RE APPLICATION OF: Jindrich RICHER et al.

SERIAL NUMBER: 10/531,877 ✓

FILED: April 19, 2005

FOR: A NEW CRYSTALLINE FORM OF THE SODIUM SALT OF  
3-PYRIDYL-1-HYDROXYETHYLIDENE-1, 1-BISPHOSPHONIC ACID

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

COMMISSIONER FOR PATENTS  
Box PCT  
Alexandria, VA 22313

SIR:

Responsive to the notification dated August 4, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration, along with a Petition for Extension of Time and the required fee.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$120.00 is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,877	Jindrich Richter	270131US0PCT
INTERNATIONAL APPLICATION NO.		
PCT/CZ03/00056		
I.A. FILING DATE	PRIORITY DATE	
10/21/2003	10/25/2002	
CONFIRMATION NO. 4537		
371 FORMALITIES LETTER		
 *OC000000016684354*		

Date Mailed: 08/04/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/19/2005
- Copy of the International Search Report filed on 04/19/2005
- Copy of IPE Report filed on 04/19/2005
- Preliminary Amendments filed on 04/19/2005
- Request for Immediate Examination filed on 04/19/2005
- U.S. Basic National Fees filed on 04/19/2005
- Priority Documents filed on 04/19/2005

RECEIVED: 8/9/05  
 GBLON, SPIVAK, McCLELLAND  
 MAIER & NEUSTADT, P.C.  
**DOCKETING DEPT.**  
 Initials/Date Docketed: ojp 8/9/05  
 Type of Resp(s): DEC  
 Due Date(s): 10/4/05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNT

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,877	PCT/CZ03/00056	270131USOPCT

FORM PCT/DO/EO/905 (371 Formalities Notice)